

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

XIONG LOU MAI,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:20-CV-1163-DMC

ORDER

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pending before the Court is plaintiff's motion for leave to proceed in forma pauperis (ECF No. 2).

Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security therefor. The request to proceed in forma pauperis will, therefore, be granted. See 28 U.S.C. § 1915(a). Plaintiff will be required by this order to submit documents to the United States Marshal and file notice with the court. Plaintiff is warned that failure to comply with this order may result in the dismissal of this action. See Local Rule 110.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is granted;

2. The Clerk of the Court is directed to serve on plaintiff the undersigned's scheduling order in social security cases;

3. The Clerk of the Court is further directed to serve a copy of this order on the United States Marshal;

4. Within 15 days from the date of this order, plaintiff shall submit to the United States Marshal a completed summons and copies of the complaint and file a statement with the court that said documents have been submitted to the United States Marshal;

5. The United States Marshal is directed to serve all process without prepayment of costs not later than 60 days from the date of this order, such service of process to be completed by delivering a copy of the summons and complaint to the United States Attorney for the Eastern District of California, and by sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States in Washington, D.C., pursuant to Federal Rule of Civil Procedure 4(i)(1)(A) & (B); and

6. The United States Marshal shall also send a copy of the summons and complaint by registered or certified mail to the Commissioner of Social Security, c/o Office of the General Counsel, Region IX, 160 Spear Street, Suite 800, San Francisco, CA 94105-1545, pursuant to Federal Rule of Civil Procedure 4(i)(2).

Dated: June 15, 2020



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE